



IN THE COURT OF CRIMINAL APPEALS OF TEXAS

NO. PD-0805-16

DAVID WAYNE CAHILL, Appellant

v.

THE STATE OF TEXAS

**ON STATE'S PETITION FOR DISCRETIONARY REVIEW
FROM THE FIFTH COURT OF APPEALS
COLLIN COUNTY**

Per curiam. **KELLER, P.J., dissented.**

OPINION

We granted the State Prosecuting Attorney's petition for discretionary review to review the court of appeals' judgment holding the trial judge abused his discretion in overruling David Cahill's motion for new trial that alleged a violation of Texas Code of Criminal Procedure Article 51.14, also known as the Interstate Agreement on Detainers Act. Having examined the record and briefs and listened to the parties' arguments, we conclude that our decision to grant review was improvident. We therefore dismiss the State's petition

for discretionary review as improvidently granted.

DELIVERED: May 17, 2017

DO NOT PUBLISH